App. F. IX-4]

Previous References.

Regn 1939 24(5)
Regn 1939 29(1)

194 9.
( )
Regn

File No. 29-3
Serial Nos. 14

Later References.

Regn 1939 29(3)(b)
Regn 1939 41(5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one only

Part B for July 1940

SUBJECT.

The Enemy Property (Custody and Registration) Order 1939 - Amendments

WD 03999—GPB—500—11-9-41

8441/39 P 03 Col 2219/1

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.18-40/W.

3482
War

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Dated Bangalore, the 27th June *1940* .

CS (War)
CHIEF SECRETARY
28. JUN. 1940
GOVT. OF MYSORE.

The Enemy Property (Custody and Registration) Order, 1939.

SIR,

I am directed to refer to my letter No.F.18-40/W, dated the 15th June 1940, and to draw the attention of the Government of Mysore to the notifications by the Government of India, Department of Commerce, No.57 (3)-Tr. (W)/40, dated the 8th June 1940 and No.43 (8)-Tr. (W)/40, dated the 15th June 1940, copies of which are enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.
ICS.

KK

DEPARTMENT OF COMMERCE.

NOTIFICATION.

TREATIES (WAR).

Simla, the 8th June 1940.

No. 57 (3)-Tr. (W.)|40.—In exercise of the powers conferred by sub-rule (*1*) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the following further amendments shall be made in the Enemy Property (Custody and Registration) Order, 1939, namely :—

1. In paragraph 8 of the said Order, after sub-paragraph (1) the following sub-paragraph and Note shall be inserted, namely :—

" (1A) Every bank which has furnished particulars of balances or deposits standing to the credit of an enemy in Form A may, not later than the 8th August 1940, communicate to the Custodian in Form AA full particulars of the debts, if any, owing to it by the enemy.

Note.—Claims submitted later than the 8th August 1940, will not be considered unless there are exceptional and valid reasons for the delay."

II. In the Appendix to the said Order, after Form A, the following Form shall be inserted, namely :—

" FORM AA.

To

The Custodian of Enemy Property,

Bombay.

PART I.

Refunds claimed against enemy debts already paid into Custodian's account.

References.		Date of deposit and name of Enemy.	Amount of deposit.	Withdrawals claimed.	Remarks *re* nature of the claim.
Bank's Letters.	Custodian's Letters.				
1	2	3	4	5	6
			Rs. A. P.	Rs. A. P.	
				Total claims ..	Rs. A. P.

PART II.

Payments now to be made to Custodian.

References.		Gross collections.	Amount of Bank's claim.	Net payment to Custodian.	Remarks.	
Bank's Letters.	Custodian's Letters.				Details of collections in column 3.	Details of claims in column 4.
1	2	3	4	5	6	7
		Rs. A. P.	Rs. A. P.	Rs. A. P.		
				Total payments ..		Rs. A. P.

PART III.

	Rs. A. P.
Total claims, part I	
Total payments, part II	
Net amount due to/by Custodian ..	

I certify that I have verified that the amounts claimed above are due from the particular enemy against whose assets they are now being claimed, and that the above statement is to the best of my knowledge correct.

Manager."

H. C. PRIOR,

Addl. Secy. to the Govt. of India.

3

No. 57 (3)-Tr. (W.)|40.

Copy forwarded to :—

The Controller of Enemy Firms and Custodian of Enemy Property, Reserve Bank Building, Bombay.

All Provincial Governments (with 5 spare copies each).

All Chief Commissioners (with 2 spare copies each)

All Departments of the Government of India [including the Defence Co-ordination Department and the Department of Supply (with 5 spare copies each) and the Railway Department, the Labour Department, the Education, Health and Lands Department and the Home Department (with 5 spare copies)] and the External Affairs Department and Communications Department.

The Central Board of Revenue (one copy) and all Collectors of Salt Revenue, Madras and Bombay.

The Private Secretary to His Excellency the Viceroy; Secretary to the Governor-General's Executive Council; Secretary to the Governor-General (Public)

The Indian Stores Department.

The Chief Censor.

The Chief Postal Censor.

The Economic Adviser to the Government of India; the Secretary, Economic Resources Board.

The Director General of Commercial Intelligence and Statistics, Calcutta.

The Director General, Posts and Telegraphs, New Delhi.

The High Commissioner of India, Trade Department, London.

The Indian Government Trade Commissioner, Mombasa and Alexandria.

The Indian Trade Agent, Kabul.

His Majesty's Senior Trade Commissioner in India, Calcutta.

His Majesty's Trade Commissioner, Bombay.

The Canadian Government Trade Commissioner in India.

The American Trade Commissioner in India, Calcutta.

The Consul-General for the United States of America, Calcutta.

The Consul-General for Egypt, Bombay.

The Federation of Indian Chambers of Commerce and Industry.

The Associated Chambers of Commerce of India.

All recognised Chambers of Commerce and Associations.

Copy also forwarded to the Government of Burma, Commerce and Industry Department.

By order, etc.,

M. S. BHATNAGAR,
Under Secy. to the Govt. of India.

H54CD—320—12-6-40—GIPS

DEPARTMENT OF COMMERCE

NOTIFICATION.

TREATIES (WAR).

Simla, the 15th June 1940.

No. 43 (8)-Tr. (W)|40.—In exercise of the powers conferred by sub-rule (*1*) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the following further amendments shall be made in the Enemy Property (Custody and Registration) Order, 1939, namely :—

In the said Order—

(1) for clause (iii) of paragraph 2, the following clause shall be substituted, namely :—

"(*iii*) "enemy" means any person whose property is for the time being vested in the Custodian by an order made under sub-rule (*1*) of rule 114 of the Defence of India Rules."

(2) in paragraph 3, for the word "enemy", the words "enemy subject or enemy firm" shall be substituted.

(3) in paragraph 8—

(*a*) in sub-paragraphs (1), (2), (4) and (5), for the word "enemy", the words "enemy subject or enemy firm" shall be substituted.

(*b*) in sub-paragraph (3), for the word "enemies" wherever they occur, the words "enemy subjects" shall be substituted.

H. C. PRIOR,

Addl. Secy. to the Govt. of India.

No. 43 (8)-Tr. (W.)|40.

Copy forwarded to :—

The Controller of Enemy Firms and Custodian of Enemy Property, Reserve Bank Building, Bombay (with 15 spare copies).

All Provincial Governments (with 5 spare copies each).

All Chief Commissioners (with 2 spare copies each)

The Political Department (with 2 spare copies)

All Departments of the Government of India [including the Defence Co-ordination Department, Home Department, and the Department of Supply (with 5 spare copies each)]

The Central Board of Revenue (one copy) and all Collectors of Customs and Collectors of Salt Revenue, Madras and Bombay.

The Private Secretary to His Excellency the Viceroy ; Secretary to the Governor-General's Executive Council ; Secretary to the Governor General (Public).

The Indian Stores Department.

The Chief Censor.

The Chief Postal Censor.

The Economic Adviser to the Government of India ; the Secretary, Economic Resources Board.

The Director General of Commercial Intelligence and Statistics, Calcutta.

The Director General, Posts and Telegraphs, New Delhi.

The High Commissioner for India, Trade Department, London.

The Indian Government Trade Commissioner, Mombasa and Alexandria.

The Indian Trade Agent, Kabul.

His Majesty's Senior Trade Commissioner in India, Calcutta.

His Majesty's Trade Commissioner, Bombay.

The Canadian Government Trade Commissioner in India.

The American Trade Commissioner in India, Calcutta.

The Consul General for the United States of America, Calcutta.

The Consul General for Egypt, Bombay.

The Federation of Indian Chambers of Commerce and Industry.

The Associated Chambers of Commerce of India.

All recognised Chambers of Commerce and Associations.

Copy also forwarded to the Government of Burma, Commerce and Industry Department.

By order, etc.,

M. S. BHATNAGAR,

Under Secy. to the Govt. of India.

H57CD—450—18-6-40—GIPS

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.18-40/W. 8440 5839 5

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore, Bangalore.

Dated Bangalore, the 15th June *194* 0.

C.B. 1576. MMS 16/6

The Enemy Property (Custody and Registration) Order, 1939.

SIR,

I am directed to refer to my letter No.F.18-40/W, dated the 1st June 1940, and to draw the attention of the Government of Mysore to the notification by the Government of India, Department of Commerce, No.73(38)-Tr.(W)/39, dated the 25th May 1940, a copy of which is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

16/6

KK

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE.

NOTIFICATION.

(Treaties (War).

Simla, the 25th May 1940.

No.73(38)-Tr.(W)/39. -- In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the following further amendment shall be made in the Enemy Property (Custody and Registration) Order, 1939, namely:-

Paragraph 3 of the said Order shall be re-numbered as sub-paragraph (1) of paragraph 3, and after that sub-paragraph as so re-numbered, the following sub-paragraph shall be inserted, namely:-

"(2) In cases in which money would, but for the existence of a state of war, be payable in a foreign currency to or for the benefit of a person who is an enemy (other than cases in which money is payable under a contract in which provision is made for a specified rate of exchange), the payment shall be made to the Custodian of Enemy Property in British India in Rupee currency at the middle official rate of exchange fixed by the Bank of England on the date on which the payment became due to that person (or the middle rate of exchange for telegraphic transfers in London on that date, or if there was no such rate on that date, at such rate as the Treasury of His Majesty's Government in the United Kingdom may determine as appropriate for ascertaining the value in English currency of the money payable on that date) combined with the Reserve Bank of India's buying rate for Sterling telegraphic transfers on London".

Sd. H.C.Prior,

Additional Secretary to the Government of India

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Government of His Highness the Maharaja of Mysore.
General and Revenue Secretariat.
Dated Bangalore the 18th July 1940.

No. 208
Legis 29-39-11

NOTIFICATION. Legis 29-39-11

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Enemy Property (Custody and Registration) Order, 1939:-

1. In the said Order -

(1) for clause (iii) of paragraph 2, the following clause shall be substituted, namely :-

"(iii) "enemy" means any person whose property is for the time being vested in the Custodian by an order made under sub-rule (1) of rule 114 of the Defence of India Rules, as applied to Mysore."

(2) paragraph 3 shall be renumbered as sub-paragraph (1) of paragraph 3, and after that sub-paragraph as so renumbered, the following sub-paragraph shall be inserted, namely:-

"(2) In cases in which money would, but for the existence of a state of war, be payable in a foreign currency to or for the benefit of a person who is an enemy (other than cases in which money is payable under a contract in which provision is made for a specified rate of exchange), the payment shall be made to the Custodian of Enemy Property in Mysore in Rupee currency at the middle official rate of exchange fixed by the Bank of England on the date on which the payment became due to that person (or the middle rate of exchange for telegraphic transfers in London on that date, or if there was no such rate on that date, at such rate as the Treasury of His Majesty's Government in the United Kingdom may determine as appropriate for ascertaining the value in English currency of the money payable on that date) combined with the Reserve Bank of India's buying rate for Sterling telegraphic transfers on London."

(3) in paragraph 3 for the word "enemy", the words "enemy subject or enemy firm" shall be substituted.

(4) in paragraph 8

(a) in sub-paragraphs (1),(2),(4) and (5), for the word "enemy" the words "enemy subject or any enemy firm" shall be substituted.

(b) after sub-paragraph (1) the following sub-paragraph and Note shall be inserted, namely:-

"(1A) Every Bank which has furnished particulars balances or deposits standing to the credit an enemy in Form A may, not later than the August 1940, communicate to the Custodian Form AA full particulars of the debts, if owing to it by the enemy.

Note.- Claims submitted later than the 8th August 1940, will not be considered unless there are exceptional and valid reasons for the delay."